

## **Court Appearances before Judge Robson**

**Effective December 8, 2021**

### **Hearings**

Parties are not required to attend in-person for any hearing. However, any party may voluntarily attend hearings before Judge Robson in-person.

Parties appearing in-person must comply with the District Court's most recent COVID-19 Order governing entry into the courthouse.

Parties appearing remotely by video via ZOOM should register as directed in the Order Establishing Procedures for Video Hearings entered in the case or adversary proceeding. Links are typically available at least seven (7) days prior to the hearing. Parties can also register to appear remotely for scheduled hearings at: <https://pacer.flmb.uscourts.gov/fwxfmb/zoom>

Parties must dress appropriately for Court, whether appearing in person or remotely by video.

Parties appearing remotely must do so from a location with sufficient technology to be seen and heard by the Court.

Parties appearing remotely by telephone must register for an account via their website [www.court-solutions.com](http://www.court-solutions.com).

### **Evidentiary Hearings & Trials**

Unless otherwise authorized by the Court, evidentiary hearings and trials before Judge Robson on contested matters or adversary proceedings shall be in-person at the Bankruptcy Courthouse. Once it is determined that an evidentiary hearing or trial is required, the Court shall enter an order that schedules the matter and establishes procedures for how the evidentiary hearing or trial is to be conducted.

### **Recording Is Prohibited; Official Record**

**No person may record the proceedings from any location by any means.** The audio recording created and maintained by the Court will be the sole basis for creation of a transcript that constitutes the official record of the hearing.

### **Remote Witness Testimony**

In accordance with Federal Rule of Civil Procedure 43(a) (made applicable by Federal Rule of Bankruptcy Procedure 9017), for good cause and in compelling circumstances, a witness may be permitted to testify by contemporaneous transmission from a location other than the courtroom. If the Court finds good cause and compelling circumstances to permit remote witness testimony in an evidentiary hearing, the Court will administer the oath to each remote witness and the witness

testimony will have the same effect and be binding upon each remote witness in the same manner as if such remote witness was sworn in by the Court in person in open court. As additional safeguards, the Court will require that: (a) if requested, each remote witness must disclose the city, state and country, and the type of place (such as home or office), where she or he is located while testifying; (b) no other person is permitted to be in the same room with any remote witness unless specifically authorized by the Court; (c) each remote witness may only have with her or him those documents also provided to the Court for consideration in connection with the matter(s) set for hearing and no other documents or data unless specifically authorized by the Court; and (d) no person may communicate with a witness during his or her testimony, except by direct examination or cross-examination on the record, unless specifically authorized by the Court.

The party sponsoring each remote witness is responsible for ensuring that the remote witness has registered with Zoom and obtained the password-protected link to the Zoom conference, the remote witness has obtained all exhibits before the hearing, and the remote witness has the technological capability to participate in the hearing via Zoom.

### **Conduct During Hearing**

To avoid distractions during the hearing, all participants must mute electronic devices and disable all audible alerts. Although conducted using remote conferencing technology, the hearing is a court proceeding and the formalities of the courtroom must be observed. Counsel and witnesses must dress appropriately, exercise civility, and otherwise conduct themselves in a manner consistent with the dignity of the Court.

Participants attending by video conference should keep their cameras off and their microphones on mute until their matter is called, at which time they should turn on their cameras for their particular hearing, and then turn them off again after their matter has concluded.

Persons participating in a hearing remotely also must: (a) state their name each time they speak; (b) speak audibly, clearly, and slowly; and (c) mute their microphone when they are not talking. Failure to do so may result in an incomplete or inaccurate record of the proceedings.

When appearing remotely, you are connected directly with the sound system in the courtroom and will be able to hear all activity before the Court just as if you were in the courtroom. As with appearances in person, you must wait for the Judge to call the case, at which point he or she will request appearances and direct the manner in which the hearing proceeds.

At the conclusion of your matter, you may disconnect from the Zoom meeting without requesting to be excused.